

REGULATION (EEC) No 1016/68 OF THE COMMISSION

of 9 July 1968

prescribing the model control documents referred to in Articles 6 and 9 of Council

Regulation No 117/66/EEC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 117/66/EEC¹ on the introduction of common rules for the international carriage of passengers by coach and bus;

Having regard to the opinions expressed by the Member States in consultation with the Commission on 3 and 4 November 1966 and on 18 and 19 April 1968, pursuant to Articles 6 and 7 of Regulation No 117/66/EEC;

Whereas, in pursuance of Article 6 (1) of Regulation No 117/66/EEC, from 1 January 1967 road services operated by an undertaking for its own workers no longer require authorisation, but are subject to a system of certification, provided that certain conditions are fulfilled; whereas, pursuant to Article 6 (2), a model certificate was prescribed in Article 1 of Commission Regulation No 212/66/EEC² of 16 December 1966, prescribing certain model documents referred to in Articles 6 and 9 of Council Regulation No 117/66/EEC;

Whereas Article 5 (1) of Regulation No 117/66/EEC provides that from 1 January 1967 the occasional services referred to in Article 3 (1) (a) and (b) of that Regulation shall not require authorisation by any Member State other than the State where the vehicle is registered;

Whereas Article 5 (2) of Regulation No 117/66/EEC provides that from 1 January 1969 certain of the

occasional services referred to in Article 3 (1) (c) of that Regulation shall not require authorisation by any Member State other than the State where the vehicle is registered;

Whereas Article 9 of Regulation No 117/66/EEC provides that the carrier shall complete a control document for the occasional services referred to in Article 3 of Regulation No 117/66/EEC; whereas the same Article provides that the model for the control document and the way in which the control document is to be used shall be prescribed by the Commission;

Whereas a model control document for the occasional services referred to in Article 3 (1) (a) and (b) of Regulation No 117/66/EEC has already been prescribed by Regulation No 212/66/EEC; whereas a model control document for the occasional services referred to in Article 3 (1) (c) of Regulation No 117/66/EEC has yet to be prescribed.

Whereas it seems appropriate to prescribe a single model control document to be used from 1 January 1969 for all the types of occasional service referred to in Article 3 of Regulation No 117/66/EEC, replacing from that date the model control document prescribed by Regulation No 212/66/EEC for the occasional services referred to in Article 3 (1) (a) and (b) of Regulation No 117/66/EEC;

Whereas, for the sake of clarity and ease of reference, the provisions of Articles 1 and 4 of Regulation No 212/66/EEC should be included in this Regulation; whereas, consequently, Regulation No 212/66/EEC should be repealed from 1 January 1969;

Whereas, in order to leave Member States some freedom of action should they wish to simplify formalities, it is advisable to provide that Member States may agree bilaterally and multilaterally that carriers shall not be bound to list the passengers in the control document;

¹ OJ No 147, 9.8.1966, p. 2688/66.

² OJ No 234, 21.12.1966, p. 3949/66.

Whereas, in order to make it possible to use up stocks of the control document introduced in pursuance of Articles 2 and 3 of Regulation No 212/66/EEC for the occasional services referred to in Article 3 (1) (a) and (b) of Regulation No 117/66/EEC, a transitional period should be prescribed, during which carriers may continue to use that control document for those services;

HAS ADOPTED THIS REGULATION:

Article 1

1. The certificate for the operation of services referred to in Article 6 of Regulation No 117/66/EEC shall conform to the model shown in Annex I to this Regulation. Annex I shall form an integral part of this Regulation.
2. The certificate shall be printed in the official language or languages of the Member State where the vehicle used is registered.
3. The certificate shall be issued on the basis of the statements made by the undertaking operating the vehicle.
4. The certificate shall remain in force for a period not exceeding one year.

Article 2

1. The control document for the occasional services referred to in Article 3 of Regulation No 117/66/EEC shall consist of passenger waybills in duplicate in books of fifty, the top copy being detachable. The control document shall conform to the model shown in Annex 2 to this Regulation. Annex 2 shall form an integral part of this Regulation.
2. Each book and its component passenger waybills shall bear a number. The passenger waybills shall bear supplementary numbers, running from 1 to 50.
3. The wording on the cover of the book and that on the front of the passenger waybills shall be printed in the official language or languages of the Member State where the vehicles used are registered. On the back of the top copy of each passenger waybill there shall be a translation in the other official languages of the Communities of the wording printed on the front of the waybill.

Article 3

1. The book referred to in Article 2 shall be made out in the name of the carrier; it shall not be transferable.

2. The top copy of the passenger waybill shall be kept on the vehicle throughout the journey to which it refers.

3. The carrier shall be responsible for seeing that passenger waybills are duly and correctly completed.

Article 4

1. The passenger waybill shall be completed in duplicate by the carrier before the start of the journey.
2. For the purpose of providing the names of passengers, the carrier may use a list already completed on a separate sheet, which shall be firmly stuck in the place provided for it under item No 6 in the passenger waybill. The carrier's stamp or, where appropriate, the carrier's signature or that of the driver of the vehicle shall be placed across both the list and the passenger waybill.
3. For the services involving an outward journey unladen referred to in Article 5 (2) of Regulation No 117/66/EEC, the list of passengers may be completed as provided in paragraph 2 at the time when the passengers are taken up.

Article 5

Member States may agree bilaterally or multilaterally that the list of passengers under item No 6 of the passenger waybill need not be drawn up. In that case, the number of passengers must be shown.

Article 6

Member States, acting under Article 10 of Regulation No 117/66/EEC, shall adopt the provisions required to implement this Regulation. Such provisions shall cover, *inter alia*:

- the period of validity of the book;
- the processing and filing of the copy and copy of passenger waybills.

Such provisions may also relate to any stamping of passenger waybills by authorised inspecting officers.

Article 7

1. This Regulation, save for Articles 1 to 5, shall enter into force on 31 July 1968. Articles 1 to 5 shall enter into force on 1 January 1969. With effect from

1 January 1969 Regulation No 212/66/EEC shall be repealed.

2. Notwithstanding the provisions of paragraph 1, the control document prescribed in Articles 2 and 3

of Regulation No 212/66/EEC may be used until 31 December 1969 for closed door tours and outward laden/return unladen services within the meaning of Article 3 (1) (a) and (b) of Regulation No 117/66/EEC.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 July 1968.

For the Commission

The President

Jean REY

ANNEX 1

(Front)

(White paper, 21 cm x 30 cm)

(To be worded in the official language or languages of the Member State where the vehicle used is registered)

STATE ISSUING THE DOCUMENT

Competent authority

International distinguishing sign

Reference No

CERTIFICATE

for carriage of workers by bus or coach between Member States of EEC as provided for in Article 6 of Council Regulation No 117/66/EEC of 28 July 1966

(Section to be completed by the undertaking)

I the undersigned (name, first name and position)

certify that the bus or coach

Make Registration No

is owned by¹ {

has been obtained on deferred terms by¹ { (name and first name, or trade name of undertaking, full address)

is driven by employees of the above undertaking and used for the transport of its own workers

1.1 from (place(s) of boarding)

to (place(s) of work)

and vice versa

Frontier-crossing point(s)

2.1 between

and (places of work of the undertaking)

Frontier-crossing point(s)

..... Date

..... (signature)

(Section to be completed by the competent authority)

Issued on at

..... (Signature and stamp of the authority issuing the certificate)

¹ Delete where inapplicable.

(Back of the Certificate)

(To be worded in the official language or languages of the Member State where the vehicle used is registered)

General Provisions

Article 6 of Regulation No 117/66/EEC of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus (OJ No 147 of 9.8.1966, p. 2688/66) provides as follows:

'1. From 1 January 1967 road services operated by an undertaking for its own workers shall not require authorisation but shall be subject to a system of certification, provided that the following conditions are fulfilled:

- (a) passengers must be carried in vehicles which are owned by the undertaking or which have been obtained by it on deferred terms and which are driven by its own employees;
- (b) the purpose of such service must be:
 - to carry workers to and from their place of work;
 - to carry workers between the various places of work of the undertaking.

2. The certificates provided for in paragraph 1 shall be issued by the competent authority in the Member State where the vehicle is registered and shall be valid for the whole of the journey, including any transit section...'

ANNEX 2

(Cover — Front)

Green paper, 30 cm × 42 cm)

(To be worded in the official language or languages of the Member State where the vehicle used is registered)

STATE ISSUING THE DOCUMENT

Book No

International distinguishing sign

Competent authority or agency

BOOK OF PASSENGER WAYBILLS

For the occasional services referred to in Article 3 of Regulation No 117/66/EEC of the Council of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus

Name and first name of carrier or trade name

.....

.....

Address

.....
(Place and date of issue of book)

.....
(Signature and stamp of the authority or agency issuing the book)

(Back of front cover of book)

(To be worded in the official language or languages of the Member State where the vehicle used is registered)

IMPORTANT NOTICE

1. In pursuance of Article 5 (1) and (2) of Council Regulation No 117/66/EEC of 28 July 1966 (OJ No 147 of 9.8.1966, p. 2688/66), certain international occasional services whose place of departure is in the territory of a Member State and whose destination is in the territory of the same or another Member State and which are operated using a vehicle (bus or coach) registered in a Member State do not require authorisation by any Member State other than the State where the vehicle is registered. The occasional services covered by this provision are as follows:

- (A) closed door tours;
- (B) outward laden/return unladen services;
- (C) services where the outward journey is made unladen, provided that all the passengers are taken up in the same place and that the passengers:
 - C 1. constitute groups formed under contracts of carriage made before their arrival in the country where they are to be taken up; or
 - C 2. have been previously brought by the same carrier, in the course of a journey coming within (B) above, into the country where they are taken up, and such passengers are carried out of that country; or
 - C 3. have been invited to travel to another Member State, the cost of transport being borne by the person issuing the invitation. The passengers must constitute a single group, which must not have been formed solely with a view to undertaking that particular journey.

2. As provided in Article 5 (3) of Regulation No 117/66/EEC, other occasional services not belonging to one of the above types may be made subject to authorisation by Member States.

3. For each journey carried out as an occasional service, the carrier must, before the start of the journey, complete a passenger waybill in duplicate.

For the purpose of providing the names of passengers, the carrier may use a list already completed on a separate sheet, which must be firmly stuck in the place provided for it under item No 6 in the passenger waybill. The carrier's stamp or, where appropriate, the carrier's signature or that

of the driver of the vehicle must be placed across both the list and the passenger waybill.

For services where the outward journey is made unladen the list of passengers may be completed as provided above at the time when the passengers are taken up.

The top copy of the passenger waybill must be kept on board the vehicle throughout the journey and be produced at the request of any authorised inspecting officer.

4. For the services where the outward journey is made unladen referred to in 1 (C), the carrier must produce the following supporting documents:

- in the case of services falling within C 1: *a declaration that the passengers constitute a group formed under a contract made as provided in Article 5 (2) (a) of Regulation No 117/66/EEC, before their arrival in the country where they are taken up;*
- in the case of services falling within C 2: *the passenger waybill which accompanied the vehicle during the previous journey made by the operator outward laden/return unladen in order to bring the passengers into the country where they are to be taken up;*
- in the case of services falling within C 3: *the letter of invitation from the person issuing the invitation or a photostat copy thereof.*

Where Member States make the occasional services referred to in point 2 of this Notice subject to authorisation, the authorisation must be attached to the passenger waybill

For all occasional services, where appropriate, the authorisation to take up or to put down passengers in another Member State during the journey must also be attached.

5. The carrier is responsible for seeing that passenger waybills are duly and correctly completed. They shall be completed in block letters and in ink or ball-point pen.

6. The book of passenger waybills must be made out in the name of the carrier; it is not transferable.

7. The book of passenger waybills must have been issued by the competent authorities in the Member State where the vehicle used is registered, or by any other duly authorised agency.

ANNEX 2

(Front)
(Green paper, 30 cm x 42 cm)

(To be worded in the official language or languages of the Member State where the vehicle used is registered. A translation in the other official languages of the Community must appear on the back.)

STATE ISSUING THE DOCUMENT
International distinguishing sign

Book No
Passenger Waybill No

1. VEHICLE

Registration No Make
Number of seats available
2. CARRIER
Name and first name or trade name and address
.....
.....
3. NAME OF DRIVER OR DRIVERS: 1. 2.
4. TYPE OF SERVICE

A	B	C1	C2	C3	D
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 1, 2, 3

Documents to be produced as evidence of the service operated:

Service A and B: none

Service C 1: carrier's declaration (see under item 9).

Service C 2: the passenger waybill for the previous journey made by the carrier outward laden/return unladen to bring the passengers into the country where they are to be taken up.

Service C 3: letter or photostat copy.

Service D: transport authorisation.

For all the services shown above there must also be attached, where appropriate, the authorisation to take up or put down passengers in another Member State during the journey.

5. JOURNEY SCHEDULE

Passengers to be taken up at place and country

Dates	Stages day by day		Vehicle driven ³		Points of entry at the frontier for each Member State entered and international distinguishing sign of that country
	from	to	carrying passengers	unladen	

PASSENGER WAYBILL

(to be completed in block letters)

6. LIST OF PASSENGERS (Names and initials of first names)

1.	.....	21.	.....
2.	.....	22.	.....
3.	.....	23.	.....
4.	.....	24.	.....
5.	.....	25.	.....
6.	.....	26.	.....
7.	.....	27.	.....
8.	.....	28.	.....
9.	.....	29.	.....
10.	.....	30.	.....
11.	.....	31.	.....
12.	.....	32.	.....
13.	.....	33.	.....
14.	.....	34.	.....
15.	.....	35.	.....
16.	.....	36.	.....
17.	.....	37.	.....
18.	.....	38.	.....
19.	.....	39.	.....
20.	.....	40.	.....

7. DETAILS FOR SERVICE 'D'

.....
.....
.....

Service 'C 1': Arrival unladen in order to take up, in the same place, passengers who, by means of a journey made outward laden/return unladen, have previously been brought by the carrier into the country where they are to be taken up. Such passengers must be carried out of that country again.

Service 'C 2': Arrival unladen in order to take up, in the same place, passengers who have been invited to travel to another Member State, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a group, which must not have been formed solely with a view to undertaking that particular journey.

Service 'D': All other services. The nature of such services must be clearly indicated under item 7.

Service 'C 3': Arrival unladen in order to take up, in the same place, passengers who have been invited to travel to another Member State, the cost of transport being borne by the person issuing the invitation. Such passengers must constitute a group, which must not have been formed solely with a view to undertaking that particular journey.

Service 'D': All other services. The nature of such services must be clearly indicated under item 7.

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8. (Date of completion of passenger waybill) (Signature of carrier)

9. DECLARATION OF CARRIER CONCERNING SERVICE 'C1'

The group of above-mentioned passengers was formed under a contract made, as provided in Article 5 (2) (a) of Regulation No 117/66/EEC, with

arrival in (country where passengers are to be taken up)

..... (date) (signature of carrier)

10. UNFORESEEN CHANGES

.....
.....
.....

..... (Control stamps, if any: see back)

CONTROL STAMPS

TRANSLATIONS

(in the other official languages of the Community)